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DORSET COUNCIL - EASTERN AREA PLANNING COMMITTEE

MINUTES OF MEETING HELD ON WEDNESDAY 3 JULY 2019

Present: Cllrs Toni Coombs (Chairman), Shane Bartlett (Vice-Chairman), Alex Brenton, Cherry Brooks, Robin Cook, Mike Dyer, Beryl Ezzard (Arrived 14.27), Barry Goringe, David Morgan, David Tooke, Bill Trite and John Worth

Apologies: Cllrs

Also present: Cllr David Walsh

Officers present (for all or part of the meeting):

Elizabeth Adams (Principal Planning Officer), Lara Altree (Legal Services Manager), Andrew Collins (Principal Planning Officer), Kim Cowell (Development Management Team Leader), Alan Davies (Development Manager), Elizabeth Fay (Major Projects Officer), Naomi Shinkins (Planning Officer) and Elaine Tibble (Democratic Services Officer)

6. Minutes

The minutes of the meeting held on 29 May 2019 were agreed and signed as a correct record.

7. Declarations of Interest

No declarations of disclosable pecuniary interests were made at the meeting.

8. West Lulworth C of E Primary School, School Lane, West Lulworth, Wareham, BH20 5SA

The Principal Planning Officer introduced the report which proposed the change of use of existing buildings, conversion of the existing school building, demolition of extensions and erection of 1½ storey extension to form 3 dwelling houses and erection of 6 dwelling houses with associated parking and landscaping.

He explained that the application had been deferred earlier in the year by the former Purbeck District Council following receipt of a late representation which raised the issue of surface water flooding. The applicant had commissioned a Flood Risk Assessment that the officers were satisfied addressed the concerns raised about flooding by the representation.

An update with an additional condition which required submission of a Construction Management Plan had been circulated to the committee members prior to the start of the meeting.

In relation to the history of the site the Principal Planning Officer advised that the application for redevelopment of the site had been submitted in 2017, this had been refused by Purbeck District Council due to the impact of the overall scale, form and layout of the development on the AONB, and overdevelopment of the site as well as failing to positively integrate with the surroundings.

Following refusal the applicant entered into pre-application discussions with Purbeck District Council to look for a solution. The revised application was not now considered to be detrimental to the AONB, there were no objections from Highways or Tree Officers although the Council's Tree Officer required a more detailed arboricultural method statement.

In summarising, all significant planning matters had been appropriately addressed, the principle of development on the brownfield site was acceptable and the application was recommended for approval.

Oral representation was received from Cllr Jackson on behalf of West Lulworth Parish Council. She pointed out that making a 66 mile round trip to attend the meeting went against climate emergency concerns. West Lulworth Parish Council felt that the homes would end up as holiday lets which would not help local housing needs. The Parish Council were disappointed that the site would go to private housing, there were flood issues with the site and although there had been some mitigation the water still ran off the site down to School Lane.

Oral representation in support of the application was received from Mr Whild, the agent for the applicant.

In response to the comments the Development Manager re-iterated that Officers and the applicant had come up with a scheme to mitigate the risk of flooding. There was no policy in relation to the internal layout of the development and referring to page 31 of the report advised that policies in the emerging Local Plan carried sufficient weight to include in the report a condition to ensure that the properties would only be occupied as the owners only or principal home.

He understood that internally the development would have raised flooring and plug sockets and the drainage engineers were happy that there were no problems with the site.

Members were conscious of the Parish Council's concerns about flooding, however felt that if the drainage engineers had put a plan together which would adequately mitigate against flooding. They were pleased about the second homes policy, but disappointed that there were no affordable elements to the scheme but accepted that the application fell below the policy threshold. It was requested that although it could not be conditioned, officers liaise with the agent and applicant to request they use materials in the construction of the homes that would not weather and go black.

Some Committee members felt that they should listen to the Parish Council and tended to agree that the overdevelopment of the site and scale would affect the AONB, the properties would not integrate sufficiently with the surroundings and an extra unit had been added to the proposal.

The Development Manager suggested, in response to being asked how the occupation of the properties would be monitored, that he was of the opinion that the Parish Council and local residents would bring this to the attention of the Dorset Council if the homes were not being used as a permanent residence and enforcement action would be taken where necessary. Solicitors would advise potential buyers of the condition and this would run with the properties not the owners.

Proposed by Cllr Bartlett, seconded by Cllr Worth

Decision: that the application be granted subject to the conditions outlined in the appendix to these minutes to include the additional planning condition circulated at the meeting requiring a Construction Management Plan.

Cllr Ezzard did not take part in the vote as she had not been present for the presentation.

9. Land to the South of Howe Lane, Verwood, Dorset, BH31 6JF

The application seeking approval for reserved matters of landscape, appearance and layout for the construction of 29 residential dwellings was presented by the Planning Officer. An email from the land owner had been received on the morning of the committee and this had been circulated to all committee members prior to the meeting.

There were a number of mature trees on the site which were the subject of Tree Preservation Orders and there had been some issues raised during consultation regarding land ownership, but the Planning Officer was able to confirm that the land was within the ownership of the applicant.

In 2015, a full permission had been granted for 3 bungalows on part of the site with a condition to protect the oak trees, and in 2016, 29 dwellings had been approved in outline at appeal. A further application to amend conditions had been dismissed. The 2015 application had lapsed but the 3 bungalows were now proposed again as part of the 29 dwellings.

There had been 2 neighbour objections which had already been addressed in the Inspector's appeal decision.

An element of affordable housing was proposed and would be located to the west of the site. The proposed road would be private but built to adoptable standards.

In summary the officer recommendation was to approve.

Oral representation was received from Mr Charalambakis, he was concerned about the possibility of flooding into neighbouring gardens due to the development and asked about traffic management and yellow lines. He also wanted to know who would be responsible for compensating him if his fence fell down.

The Major Projects Officer responded that these concerns had already been considered as part of the outline application which had been approved by the Inspector, there was a drainage condition which has not yet been discharged but officers were confident that this could be dealt with. Traffic on site had also been considered by the Inspector at appeal and it was concluded there was no evidence that the local road network could not accommodate the traffic created by the new development. Boundaries were a civil matter and not part of granting planning consent.

The Chairman pointed out that Dorset Highways would wait a while to see if there was an impact on the area to decide if yellow lines were needed.

In response to a question regarding the estate road not being suitable for adoption, members were advised that due to the requirement of a bridging structure over the tree routes the Highways authority could not consider it suitable for adoption but would ensure the construction was to required standards. This had also been considered in the appeal decision, but the Highways authority had not wanted to take on the responsibility of the structure.

Officers were confident that a suitable layout could be put in place to protect trees and cover drainage.

Although some members found the design of the houses uninspiring, generally they felt that the site fulfilled the criteria, was workable and manageable.

The affordable housing contribution was negotiated in the 2016 section 106 agreement and was not negotiable at reserved matters stage

Proposed by Cllr Bartlett, seconded by Cllr Worth

Decision: that the application be approved subject to the conditions outlined in the appendix to these minutes.

10. Frampton's Yard, Holt, Wimborne, Dorset, BH21 7DX

The application to demolish existing outbuildings and erect three single storey dwellings, convert existing offices to three flats and improve vehicular access junction with the highway was presented by the Principal Planning Officer.

The application had come to Committee with the agreement of the Chairman, following an objection by the Parish Council to the proximity of the proposal to nearby Sites of Special Scientific Interest (SSSI), as the site lay within the Green Belt.

A Unilateral Undertaking had been received since the publication of the agenda and members were advised that the second part (b) of the recommendation was therefore no longer required.

The site had lawful use as open storage, vehicle and plant parking and manoeuvring and as an HGV operating centre.

The conversion of building to flats would not impact on the Green Belt and when considering the proposal against extant consent, the buildings would be placed perpendicular to allow more openness

The Tree Officer was content that the back gardens were of sufficient length to avoid harm to trees. There was equine use of the road but no demonstrable impact on road safety. No objection had been raised by Natural England in relation to the proximity to the SSSI; the planning obligation has secured mitigation in relation to internationally protected European Sites.

In summary the application was recommended for approval

Oral representation was received from Mr Hirsh, the Planning Consultant on behalf of the applicant. He regarded the proposed scheme to be well developed with no increase in volume of buildings, which confirmed to policy and would deliver a planning gain

Members considered the application to be well designed and well considered. There would be no harm to the Green Belt and the development would deliver much needed homes. This was a Brownfield site which could be used for residential purposes.

In response to a query about nearby archaeological sites the Team Leader – Development Management advised that as the site has already been disturbed and developed, there was no reason to justify an archaeological search and Officers could only apply such a condition when reasonable and necessary. It was agreed that an informative note would be put on the decision notice asking the applicant to be aware but there was no reason to put the applicant to additional expense for measures that were not needed.

Proposed by Cllr Morgan, seconded by Cllr Cook

Decision: that the application be delegated to the Development Management Manager to grant permission, subject to the conditions outlined in the appendix to these minutes and including an informative in relation to archaeological finds.

11. **Urgent items**

There were no urgent items.

12. **Exempt Business**

There was no exempt business.

Appendix

Duration of meeting: 2.00 - 3.56 pm

Chairman

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3 July 2019

Appendix

APPLICATION NUMBER: 6/2018/0653

APPLICATION SITE: West Lulworth C of E Primary School, School Lane, West Lulworth, Wareham, BH20 5SA

PROPOSAL: Change of use of existing buildings, conversion of existing school building, demolition of extensions and erection of 1 ½ storey extension to form 3 dwelling houses and erection of 6 dwelling houses with associated parking and landscaping.

Decision: that the application be approved subject to the conditions outlined below;-

1. The development must start within three years of the date of this permission.
Reason: This is a mandatory condition imposed by Section 91 of the Town and Country Planning Act 1990 to encourage development to take place at an early stage.
2. The development permitted must be carried out in accordance with the following approved plans: 5841-WLA-ZZ-XX-DR-A-0010 Rev C, 5841-WLA-ZZ-XX-DR-A-0009 Rev B, 5841-WLA-ZZ-XX-DR-A-0011 Rev A, 5841-WLA-C1-XX-DR-A-0102 Rev B, 5841-WLA-C1-00-DR-A-0100 Rev B, 5841-WLA-C1-01-DR-A-0101 Rev B, 5841-WLA-H2-ZZ-DR-A-0201 Rev B, 5841-WLA-H2-00-DR-A-0200 Rev A, 5841-WLA-H1-ZZ-DR-A-0303 Rev B, 5841-WLA-H1-00-DR-A-0300 Rev A, 5841-WLA-H1-01-DR-A-0301 Rev A & 5841-WLA-H1-02-DR-A-0302 Rev B
Reason: For the avoidance of doubt and in the interests of proper planning.
3. Before the development is occupied the visibility splay areas as shown on Drawing Number 5841-WLA-ZZ-XX-DR-A-0010 Rev C must be cleared/ excavated to a level not exceeding 0.60 metres above the relative level of the adjacent carriageway. The splay areas must thereafter be maintained and kept free from all obstructions.
Reason: To ensure that a vehicle can see or be seen when exiting the access.
4. Before the development is occupied the turning and parking shown on the submitted plans must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.
Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.
5. The manufacturers name, product name and colour of all external facing and roofing materials must be submitted to and approved in writing by the Council before they are used on the proposal. The development must then be implemented using the approved materials.
Reason: To ensure satisfactory appearance of the development and in order to ensure that the materials used do not have a detrimental impact upon the Dorset AONB.

6. The new dwellings must not be occupied until the Council has approved a scheme of landscaping. This needs to include
 - i. A survey plan, showing existing cables, pipes and ducts above and below ground, existing levels, and all existing trees, shrubs and hedges on the land, plus details of any to be retained together with measures for their protection during the course of development
 - ii. A landscape proposals plan showing proposed levels, and details of hard landscape (cables, pipes and ducts above and below ground, surfacing/paving, surface water drainage, walls, fences and other structures, lighting, CCTV etc.) and soft landscape (trees, shrubs, herbaceous plants and grassed areas);
 - iii. Planting plans which must show the species of trees, shrubs and herbaceous plants to be planted and where they will be planted, the size that the trees/shrubs/plants will be on planting, and the number that will be planted;
 - iv. Information, which complies with BS 7370 Part 1 1991 and Part 4 1993 Grounds Maintenance, regarding how the planting will be maintained for the first five years following planting. This should include detail of watering, weed control and pruning.

Reason: These details are required to be agreed prior to the start of any work on the site, in order to protect existing trees, hedges and biodiversity which may exist on the site. Also to ensure the satisfactory landscaping of the site, and to enhance the biodiversity, visual amenity and character of the area.
7. The drainage scheme outlined in the document Flood Risk Assessment & Drainage Strategy ref VD19044 prepared April 2019 must be implemented. It must be maintained and managed in accordance with the agreed details.
Reason: In order to alleviate the possible risk of flooding to this site and adjoining catchment land.
8. The finished floor level of the new houses must be set above the surrounding ground levels and above the adjacent levels in School Lane as detailed in the Flood Risk Assessment VD19044 prepared April 2019. Precise details of the height must be agreed in writing by the Council prior to the construction of the houses and then implemented at the agreed height.
Reason: To reduce the risk of the properties being the subject of flooding.
9. All works impacting on the retained trees during the demolition/development must be carried out as specified in the approved Arboricultural Method Statement.
Reason: To prevent trees on site being damaged during construction works.
10. Before any ground work starts, the developer must submit for the written approval of the Council:
 - i) A 'desk study' report documenting the former uses of the site.
 - ii) A site investigation report detailing ground conditions, a 'conceptual model' of all potential pollutant linkages, and incorporating risk assessment.
 - iii) A detailed scheme for remedial works and measures to be taken to avoid risk from contaminants / or gases when the site is developed.
 - iv) A detailed phasing scheme for the development and remedial works.

The remediation scheme, as agreed in writing by the Council, must be fully implemented before the development is first occupied. Any variation to the

scheme must be agreed in writing with the Council in advance of works beginning.

Within one calendar month of completion, the developer must provide written confirmation that all works were completed in accordance with the agreed details.

Reason: Starting the works before investigation and mitigation is carried out may result in the release/disturbance of contaminated material which may present a risk to public health. It is also required to ensure any issues relating to the possible contamination of the land are adequately dealt with.

11. Where remediation is necessary as identified under condition 10, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and approved in writing by the Council. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that any contamination present on the site is adequately and appropriately dealt with.

12. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Council. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 10 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 11 which is subject to the approval of the Council.

Reason: In order to safeguard residents of the new houses if unexpected contamination is discovered.

13. The properties shall only be occupied by a person as his or her only or principal home. The occupier shall supply to the Council (within 14 working days of the Council's request to do so) such information as the Council may reasonably require in order to determine compliance with this condition.

Reason: To ensure that the approved properties are not used as second homes, which would harm the sustainability of local communities and would not contribute towards meeting local housing need.

14. Before development commences a Construction Management Plan (CMP) must be submitted to and approved in writing by the Council. The CMP must include:
 - the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - delivery, demolition and construction working hours

The approved Construction Management Plan must be adhered to throughout the construction period for the development.

Reason: To minimise the likely impact of construction traffic on the surrounding highway network.

15. Informative Note - Dorset Council Highways. The applicant is advised that Section 184 of the Highways Act 1980 requires the proper construction of vehicle crossings over kerbed footways, verges or other highway land. Before any works start on the public highway, Dorset Council's Dorset Highways must be consulted to agree on the detailed specification. They can be contacted by telephone at Dorset Direct (01305 221000), by email at dorsetdirect@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ.
16. Informative Note - Community Infrastructure Levy. This permission is subject to the Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008. A CIL liability notice has been issued with this planning permission that requires a financial payment. Full details are explained in the notice.
17. Informative Note - Matching Plans. Please check that any plans approved under the building regulations match the plans approved in this planning permission. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission.
18. Informative Note - Superfast broadband
Please give some thought to how your new development will be ready to connect to superfast broadband for use by the occupants. Find out more about BT Openreach and the Home Builders Federation cost sharing approach via this website link <http://www.newdevelopmentsopenreach.co.uk/>. BT Openreach and Virgin Media also have the following guides: <http://www.newdevelopments-openreach.co.uk/developers-and-architects/developershandbook.aspx> https://keepup.virginmedia.com/Content/networkExpansion/doc/New_Build_Developers_Guide.pdf Dorset Council has also produced information for developers about providing fibre broadband in new housing developments at: <https://www.dorsetcouncil.gov.uk/business-consumers-licences/superfast-dorset/about-superfastdorset/guidance-for-property-developers.aspx>
19. Informative Note - Wessex Water. The point of connection to existing public sewage must be agreed with Wessex Water Services Ltd.
20. Statement of positive and proactive working: In accordance with paragraph 38 of the National Planning Policy Framework, the Council takes a positive and creative approach to development proposals focused on solutions. The Council works with applicants/agents in a positive and proactive manner by; offering a pre-application advice service, and as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

For this application: pre-application advice was provided; the applicant/agent was updated of any issues after the initial site visit; the opportunity to submit amendments to the scheme/address issues was given which were found to be acceptable.

APPLICATION NUMBER: 3/19/0019/RM

APPLICATION SITE: Land to the south of Howe Lane, Verwood

PROPOSAL: Approval for Reserved Matters of Landscape, Appearance and layout. Application 3/13/0674/OUT (granted on appeal) for construction of 29 residential dwellings.

Decision: That the application be approved subject to the conditions outlined below:-

Conditions: (the Pre-commencement conditions have been previously agreed with the applicant by email 18.06.19, as required)

1. The development to which this permission relates must be begun not later than the expiration of two years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- Block and Location Plan 9019/103
- Full Site Plan 9019/102 C
- Site Section Indicating Retaining Walls and Raised Patios 9019/126 A
- Street Scenes and Site Sections 9019/127 A
- Affordable Housing Allocation Plan 9019/128 A

- Landscape Proposals – Site Plan Sheet 1 of 2 17004/005 C
- Landscape Proposals – Site Plan Sheet 2 of 2 17004/006 B
- Landscape Proposals – Specification 17004/007 C

- Floor Plans and Elevations Plot 1 8238/102 B
- Floor Plans and Elevations Plot 2 8238/103 B
- Floor Plans and Elevations Plot 3 8238/104 B
- Floor Plans and Elevations Plot 4 9019/107 A
- Floor Plans and Elevations Plot 5 9019/108
- Floor Plans and Elevations Plot 6 9019/109
- Floor Plans and Elevations Plot 7 9019/110
- Floor Plans and Elevations Plot 8 9019/111
- Floor Plans and Elevations Plot 9 9019/112
- Floor Plans and Elevations Plot 10 9019/113
- Floor Plans and Elevations Plot 11 9019/114
- Floor Plans and Elevations Plot 12 9019/115
- Floor Plans and Elevations Plot 13 9019/116
- Floor Plans and Elevations Plot 14 9019/117
- Floor Plans and Elevations Plot 15-16 9019/118
- Floor Plans and Elevations Plot 17-21 9019/119 A
- Floor Plans and Elevations Plot 22-23 9019/120 A

- Floor Plans and Elevations Plot 24-25 9019/121
- Floor Plans and Elevations Plot 26-27 9019/122
- Floor Plans and Elevations Plot 28 9019/123 A
- Floor Plans and Elevations Plot 29 9019/124

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development above DPC (damp proof course) shall take place until details and samples of all external facing and roofing materials have been provided on site, and approved in writing by the Local Planning Authority (LPA). All works shall be undertaken strictly in accordance with the details as approved, unless otherwise agreed in writing with the LPA.

Reason: This information is required prior to above ground work commencing to ensure satisfactory visual relationship of the new development to the existing.

4. All hard and soft landscape works shall be carried out in accordance with the approved plan Landscape Scheme:
 - Landscape Proposals – Site Plan Sheet 1 of 2 17004/005 C
 - Landscape Proposals – Site Plan Sheet 2 of 2 17004/006 B
 - Landscape Proposals – Specification 17004/007 C

The works shall be carried out prior to the occupation of any part of the development and the planting carried out in the first planting season following completion of the development. Any planting found damaged, dead or dying in the first five years following their planting are to be duly replaced with appropriate species.

Reason: To ensure the implementation of the scheme is carried out in accordance with the approved plans and to accord with Policies HE2 and HE3 of the Local Plan and Government Guidance contained in the National Planning Policy Framework.

5. Notwithstanding details already submitted within the Arboricultural Impact Appraisal and Method Statement, full plans and particulars showing the final siting of the services and soakaways shall be submitted to the Local Planning Authority for written approval prior to commencement of works on site.

Reason: To demonstrate that the proposed development can be implemented without detriment to the existing trees that are to be retained on the site.

6. Notwithstanding details already submitted within the Arboricultural Method Statement, no development shall commence on site until the final design and specification of a) the section of road outside plot 27, including cross sections showing the existing and proposed levels and b) the garages for plots 5-8 and 29 including cross sections showing the existing and proposed levels, have

been submitted to and approved in writing by the Local Planning Authority. All structures shall then be installed as per the approved documents.

Reason: This information is required prior to commencement of development in the interests of tree protection and to accord with Policies HE2 and HE3 of the Core Strategy.

7. The installation of tree protection, both fencing and ground protection for the protection of any retained tree shall be undertaken in accordance with the approved plans (Plan 2830-04-19 Tree Survey and Tree Protection Plan M Hinsley dated 26/4/2019) and particulars (Arboricultural Method Statements 2830-12-18 Plots 4-29/JC/MTH/12/18 and 04/19 dated 19/12/2018 and 26/4/2019) before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: In order to prevent damage during construction to trees that are shown to be retained on the site

8. Any excavation work undertaken within the rooting area of trees relating to the application proposals shall be hand dug and no roots in excess of 25mm in diameter shall be severed without the prior consent of the Local Planning Authority.

Reason: In order to prevent damage to trees.

9. Notwithstanding details already submitted with the application, no development shall commence on site until the final construction method statement and specification for the proposed driveway have been submitted to and approved in writing by the Local Planning Authority. The driveway shall then be installed as per the approved documents and this condition shall not be discharged until an arboricultural supervision statement is submitted to and approved in writing by the Local Planning Authority on completion of its installation.

Reason: To prevent trees on site from being damaged

10. Before the development hereby approved is occupied or utilised the turning and parking shown on the submitted plans 'Full Site Plan 9019/102 C' must have been constructed. Thereafter, these areas must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

11. Notwithstanding the provisions of the Town and Country Planning (General

Permitted Development) Order 1995 or any subsequent re-enactment no further windows or doors shall be constructed in the side and rear elevations (such expression to include the roof and wall) of the buildings hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid loss of privacy to adjoining properties.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactment thereof no extensions or outbuildings shall be constructed without express planning permission first being obtained.

Reason: In the interests of controlling matters which may be detrimental to the original visual concept and the balance of private space provision, and in order to protect the amenities of adjacent residential properties and in order to ensure an appropriate relationship between built form and trees.

13. Before any other operations are commenced the visibility splay areas as shown on Drawing Number 8238/105B shall be cleared to a level not exceeding 06 metres above the relative level of the adjacent carriageway. The splay areas shall thereafter be maintained and kept free from all obstructions.

Reason: In the interests of road safety.

14. The development hereby permitted shall not be occupied or utilised until provision has been made to ensure that no surface water drains directly from the site onto the adjacent public highway.

Reason: In the interests of road safety.

15. Before the development is commenced the proposed access crossing from the nearside edge of the carriageway to the boundary of the highway shall be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of road safety.

16. Plans and particulars showing:

- the finished floor levels, related to ordnance datum or fixed point within the site, of the ground floor of the proposed building(s), (and as appropriate the closest adjacent building beyond the site); and
- the finished levels of the access road relative to the levels of the land adjacent to the access road shall be submitted to, and approved in writing by the Local Planning Authority and development shall not be commenced until these details have been approved, unless otherwise agreed in writing. All works shall be undertaken strictly in accordance with the details as approved.

Reason: In order that the Council may be satisfied with the details of the proposal having regard to the existing site levels and those adjacent hereto.

Informatives:

1. The applicant needs to be aware that the Community Infrastructure Levy (CIL) will be applied to this development. The Council will shortly be issuing a CIL Liability Notice following the grant of this permission which will provide information on the applicant's obligations.
2. The applicant is informed that this decision constitutes an approval of reserved matters under Condition 1 of the planning permission granted by notice dated 20 January 2016; under Appeal Decision ref APP/U1240/W/15/31339; and does not, by itself, constitute a planning permission.
3. The applicant is informed that this decision constitutes an approval of reserved matters under Condition 1 of the planning permission granted by notice dated 20 January 2016; under Appeal Decision ref APP/U1240/W/15/31339; only and does not discharge other conditions listed in this Appeal Decision.
4. This grant of permission is to be read in conjunction with the S106 Agreement signed 15 January 2016 entered into between East Dorset District Council, and Carolyn Anne Macy, John Andrew Spencer and David Ian Spencer.
5. For the avoidance of doubt and based on the description of the submitted application, the following are not considered and must be submitted as a separate discharge of condition application:
 - Tree Root Protection Plan 391751-101 rev B
 - Tree Survey and Tree Protection Plan 2830-04-19 (dated 26/4/2019)
 - Arboricultural Method Statements 2830-12-18 Plots 4-29/JC/MTH/12/18 and 04/19 dated 19/12/2018 and 26/4/2019 in particular paragraph 9.3.
 - Technical Recommendation TR17-2127 RUR CEL Oak Tree Cottage V3 dated 3/10/2018 Geosynthetics
 - Proposed Plan showing Impermeable Areas 1248/201 P1
 - Indicative Attenuation Layout 1248/202 P1
 - Scheme 2895808 PLOTS 2-27 Oak Tree Cottage Site, Howe Lane, Verwood BH31 6JF (dated 15/11/2017)
 - Drainage Calculation Sheet 1248 (dated December 2018)
 - 1248 Construction Phase Plan Wills Design Partnership Dec 2018
6. The applicant is advised that, notwithstanding this consent, if it is intended that the first 12 metres only of the highway layout be offered for public adoption under Section 38 of the Highways Act 1980, the applicant should contact Dorset Council's Development team. They can be reached by telephone at 01305 225401, by email at dli@dorsetcc.gov.uk, or in writing at Estate Road Construction (adopted or private) Development team, Dorset

Highways, Environment and the Economy, Dorset Council, County Hall, Dorchester, DT1 1XJ.

7. As the new road layout beyond the first 12 metres does not meet with the Highway Authority's road adoption standards for public adoption under Section 38 of the Highways Act 1980, it will remain private and its maintenance will remain the responsibility of the developer, residents or housing company.
8. The applicant should be advised that the Advance Payments Code under Sections 219-225 of the Highways Act 1980 may apply in this instance. The Code secures payment towards the future making-up of a private street prior to the commencement of any building works associated with residential, commercial and industrial development. The intention of the Code is to reduce the liability of potential road charges on any future purchasers which may arise if the private street is not made-up to a suitable standard and adopted as publicly maintained highway. Further information is available from Dorset Council's Development team. They can be reached by telephone at 01305 225401, by email at dli@dorsetcc.gov.uk, or in writing at Development team, Dorset Highways, Environment and the Economy, Dorset Council, County Hall, Dorchester, DT1 1XJ.

APPLICATION NUMBER: 3/19/0826/FUL Framptons Yard, Holt Wimborne

APPLICATION SITE: Frampton's Yard, Holt, Wimborne, Dorset, BH21 7DX

PROPOSAL: Demolish existing outbuildings and erect three single storey dwellings, convert existing offices to three flats and improve vehicular access junction with the highway

Decision: that the application be delegated to the Development Management Manager to Grant, subject to the conditions set out below and the successful completion of a S106 Legal Agreement to secure the necessary contribution towards Strategic Access Management and Monitoring in accordance with the Dorset Heathlands SPD.

Conditions: (the Pre-commencement conditions have been previously agreed with the applicant, as required)

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

18141-11 D Location, Block and Site Plan
18141-13 A Houses A & B Floor Plans
18141-14 A Houses A & B Elevations
18141-15 A Houses A & B Elevations
18141-16 A House C Floor Plans
18141-17 A Houses C Elevations

18141-20 A Proposed Office Conversion Plans
18141-21 A Proposed Office Conversion Elevations

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Before the change of use is implemented a scheme shall be submitted to the Local Planning Authority to deal with potential contamination of the site. Such scheme shall include the following actions and reports, which must be carried out by appropriately qualified consultant(s):

(a) A Site History Report, which shall, by reference to site layout drawings of an appropriate scale, include a history of the site, past land uses, current and historical maps, site plans, locations of any known spillages or pollution incidents and the location and condition of old tanks, pits, fuel or chemical storage areas. (Please note it is the responsibility of the landowner, developer or consultant to provide and disclose all relevant information).

(b) A Site Investigation Report (based on the information contained in the site history report), will be required where the appointed consultant and/or the Local Planning Authority anticipate that contamination may be present in, on or near the proposed development area. The site investigation report must characterise and identify the extent of contamination, identify hazard sources, pathways and receptors and develop a conceptual model of the site for purposes of risk assessment.

(c) Before any works commence on site, should (in the opinion of the Local Planning Authority) remedial works be required, consultants appointed to carry out intrusive site investigation work must submit their sampling strategy to the Local Planning Authority for approval.

(d) Where contamination is found which (in the opinion of the Local Planning Authority) requires remediation, a detailed Remediation Statement, including effective measures to avoid risk to future and neighbouring occupiers, the water environment and any other sensitive receptors when the site is developed, shall be submitted to and approved in writing by the Local Planning Authority. Any remediation scheme(s), or part(s) thereof recommended in the remediation statement, shall require approval to be obtained in writing from the Local Planning Authority.

(e) No development shall occur until the measures in the approved remediation scheme have been implemented in accordance with the remediation statement to the satisfaction of the Local Planning Authority.

(f) If, during works on site, contamination is encountered which has not previously been identified, the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority. Any such scheme shall require approval to be obtained in writing from the Local Planning Authority.

(g) On completion of all the works detailed in the agreed Remediation Statement, a Remediation Completion Report must then be completed by the environmental consultant(s) who carried out the remediation work confirming that they have supervised all the agreed remediation actions. This report to be submitted to the planning authority confirming that all works as specified and agreed have been carried out to the point of completion. Until the Planning Authority is in receipt of said Remediation Completion Report and has approved the contents of the statement and the standard of work completed in writing it will be viewed that the remediation of the site is incomplete.

Reason: To protect the health of future occupants.

4. Before any equipment, materials or machinery are brought onto the site for the purposes of development, a pre-commencement site meeting between the Tree Officer, Arboricultural Consultant and Site Manager shall take place to confirm the protection of trees on and adjacent to the site in accordance with the Arboricultural Impact Appraisal and Method Statement prepared by Barrell Tree Consultancy, ref: 18338-AA-PB dated 18th December 2018. The tree protection shall be positioned as shown on the Tree Protection Plan, ref: 18338-BT1, before any equipment, materials or machinery are brought onto the site for the purposes of the development. The tree protection shall be retained until the development is completed and nothing shall be placed within the fencing, nor shall any ground levels be altered or excavations made without the written consent of the Local Planning Authority. This condition shall not be discharged until an arboricultural supervision statement, the contents of which are to be discussed and agreed at the pre-commencement meeting, is submitted to and approved in writing by the Local Planning Authority on completion of development.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

5. Prior to commencement of works (including site clearance and any other preparatory works) a plan showing service routes, including the position of any soakaways outside of the identified Root Protection Areas shall be submitted and agreed with the LPA.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

6. The development hereby permitted shall be constructed entirely of the materials details of which are shown on the approved plans unless otherwise agreed in writing by the Local Planning Authority.

Reason: This is required to ensure the satisfactory visual relationship of the new development to the existing

7. All planting shown on the landscaping plan drawing no. 10151 shall be completed before the end of the planting season following completion of the development. Any such plants that are removed, die or become, in the opinion of the Local Planning Authority seriously damaged or defective, within five years of planting shall be replaced with specimens of similar size and species as originally planted.

Reason: To safeguard the amenities of the area and ensure the enhancement of the development.

8. Details of the proposed hard landscaping of the site including hard surfacing and boundary enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping relevant to each residential unit shall be implemented prior to the first occupation of that unit.

Reason: In the interests of neighbouring amenity, visual amenity and to control aspects which may impact on drainage.

9. Notwithstanding the provisions of Part 1 Classes A and E of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent re-enactment thereof, there shall be no extensions to the dwellings hereby approved nor shall any garage or car port be erected.

Reason: To control development which would impact on the openness of the Green Belt.

10. Before the development is occupied or utilised the access improvements and first 10.00 metres of the vehicle access, measured from the rear edge of the highway (excluding the vehicle crossing – see the Informative Note below), must be laid out and constructed to a specification submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a suitably surfaced and constructed access to the site is provided that prevents loose material being dragged and/or deposited onto the adjacent carriageway causing a safety hazard.

11. Before the development hereby approved is occupied or utilised, the turning and parking shown on Drawing Number 18141.11 C must have been constructed. Thereafter, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any subsequent re-enactment thereof, the garages shall be maintained for the parking of vehicles and the turning and parking areas must be permanently maintained and kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

12. The development hereby approved shall not be first brought into use unless and until the protected species mitigation and enhancement measures as detailed in the approved mitigation plan KP Ecology Ecological Report (19 December 2018) have been completed in full, unless any modifications to the agreed mitigation plan as a result of the requirements of a European Protected Species Licence or the results of subsequent bat surveys have first been submitted to and agreed in writing by the Local Planning Authority. Thereafter approved enhancement and mitigation measures shall be permanently adhered to, maintained and retained in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of biodiversity

13. No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority (LPA). The approved drainage works shall be completed in accordance with the Surface Water Concept details submitted with the application and maintained in accordance with the details agreed with the LPA.

Reason: To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system

14. No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the foul water drainage system has been submitted to and approved by the Local Planning Authority (LPA). The approved drainage works shall be completed in accordance with the Foul Drainage Concept details submitted with the application and maintained in accordance with the additional details agreed with the LPA.

Reason: To prevent ensure that the development is properly serviced and does not increase the risk of flooding downstream

15. The development hereby approved shall be undertaken in accordance with the Construction Management Plan submitted with the application unless modifications are first approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and neighbouring amenity

Informatives:

1. Unilateral undertaking
2. Dorset highways vehicle crossing
3. CIL Liable
4. The applicant's attention is drawn to the archaeological potential of the area. In the event that archaeological remains are found during the construction of the buildings hereby approved please contact the Council's archaeological

officer Steve Wallis for advice e-mail: steve.wallis@dorsetcouncil.gov.uk,
phone: 01305 224222.

Background Documents:

Case Officer: Elizabeth Adams

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

